

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figs. 2 and 4. These sheets, which include Figs. 1-4, replace the original sheets including Figs. 1-4. In Figs. 2 and 4, projection images have been deleted as shown in the attached annotated sheets, wherein deleted lines are marked with an "X." As only deletions have been made to the figures, no new matter has been added with the proposed amendments. Entry of the replacement sheets of drawings into the application is respectfully requested.

Attachments: Two (2) Annotated Sheets of Drawings – Figs. 2 and 4 only
Three (3) Replacement Sheets of Drawings – Figs. 1-4

REMARKS

Claims 1-13 are currently pending, wherein claims 1-3, and 10 have been amended to correct typographical and/or translations errors, and new claim 13 has been added. Applicants respectfully request favourable reconsideration in view of the remarks presented herein below.

In paragraph 2 of the Office Action (“Action”), the Examiner rejects claims 1-12 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. More specifically, the Examiner asserts that the structure of the claimed areas (5) are incompletely illustrated in the figures and therefore are not clear. Applicants have amended claims 1-3 and 10 to correct for any lack of clarity resulting from the literal translation of the claims, thereby addressing the Examiner’s concerns. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-12 under 35 U.S.C. § 112, first paragraph.

In paragraph 4 of the Action, the Examiner rejects claims 1-12 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. More specifically, the Examiner asserts that the claims are replete with terms lacking clear antecedent basis. Applicants have amended claims 1-3 and 10 to correct for any lack of clarity resulting from the literal translation of the claims, thereby addressing the Examiner’s concerns. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-12 under 35 U.S.C. § 112, first paragraph.

In paragraph 5 of the Action, the Examiner objects to the drawings under 37 CFR § 1.83(a). More specifically, the Examiner asserts that the elements of claims 2, 3, and 8 must be

shown in the drawings or the features canceled from the claims. Applicants hereby submit amended drawings, thereby addressing the Examiner's concerns. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to the drawings.

In paragraph 8 of the Action, the Examiner rejects claims 1, 4, 6, 7, and 10 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,671,565 to Grimm et al. ("Grimm"). Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. § 102, the cited reference must teach each and every claimed element. In the present case, claims 1, 4, 6, 7, and 10 are not anticipated by Grimm because Grimm fails to disclose each and every claimed element as discussed below.

Independent claim 1 defines a support for automobile vehicle sunroofs. The support includes, *inter alia*, a front element and two longitudinal elements implemented in one piece, together with a reinforcing crosspiece, in which a slide runs along each of the two longitudinal elements, said slide being pulled by a tow element. In addition, the support includes a channel for guiding the two elements, which is formed by downwardly convex semi-cylindrical areas (protrusions) regularly separated by gaps and upwardly convex cylindrical areas (protrusions) placed in discontinuous arrangement over said gaps.

Grimm discloses a cable guide for sliding roofs of motor vehicles that includes two lateral guide components which together guide the guide shoes. However, nowhere in Grimm is there any disclosure of a channel for guiding the two elements which is formed by downwardly convex semi-cylindrical areas (protrusions) regularly separated by gaps and upwardly convex cylindrical areas (protrusions) placed in discontinuous arrangement over said gaps as claimed.

Accordingly, independent claim 1 is patentable over Grimm because Grimm fails to disclose each and every claimed element.

Claims 4, 6, 7, and 10 variously depend from independent claim 1. Therefore, claims 4, 6, 7, and 10 are patentable over Grimm for at least those reasons presented above with respect to claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1, 4, 6, 7, and 10 under 35 U.S.C. § 102(b).

In paragraph 11 of the Action, the Examiner rejects claims 5 and 11 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Grimm in view of foreign patent publication No. FR 2771970 to Webastco Systemes Carrosserie (“Webastco”). Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. § 103, the Examiner must establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some motivation to combine the cited references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element. In the present case, claims 5 and 11 are not rendered unpatentable over the combination of Grimm and Webastco for at least the reason that the combination fails to disclose each and every claimed element as discussed below.

Claims 5 and 11 variously depend from independent claim 1. Therefore, claims 5 and 11 are patentable over Grimm for at least those reasons presented above with respect to claim 1. Webastco discloses a cross member for an open top motor vehicle that includes a channel for a cable. However, Webastco fails to overcome the deficiencies of Grimm.

Since Grimm and Webastco both fail to disclose or suggest a support frame of a vehicle sunroof that includes a channel for guiding the two elements which is formed by downwardly convex semi-cylindrical areas (protrusions) regularly separated by gaps and upwardly convex cylindrical areas (protrusions) placed in discontinuous arrangement over said gaps as claimed, the combination of these two references cannot possibly disclose or suggest said element. Therefore, even if one skilled in the art were motivated to combine Grimm and Webastco, which Applicants do not concede, the combination would still fail to render claims 5 and 11 unpatentable because the combination fails to disclose each and every claimed element. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 5 and 11 under 35 U.S.C. § 103(a).

In paragraph 12 of the Action, the Examiner rejects claims 8, 9, and 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Grimm in view of U.S. Patent No. 5,527,086 to Mori et al. ("Mori"). Applicants respectfully traverse this rejection.

Claims 8, 9, and 12 variously depend from independent claim 1. Therefore, claims 8, 9, and 12 are patentable over Grimm for at least those reasons presented above with respect to claim 1. Mori discloses a sun-roof device that includes a pair of parallel spaced guide rails extending along a pair of side peripheries. However, Mori fails to overcome the deficiencies of Grimm.

Since Grimm and Mori both fail to disclose or suggest a support frame of a vehicle sunroof that includes a channel for guiding the two element which is formed by downwardly convex semi-cylindrical areas (protrusions) regularly separated by gaps and upwardly convex

cylindrical areas (protrusions) placed in discontinuous arrangement over said gaps as claimed, the combination of these two references cannot possibly disclose or suggest said element. Therefore, even if one skilled in the art were motivated to combine Grimm and Mori, which Applicants do not concede, the combination would still fail to render claims 8, 9, and 12 unpatentable because the combination fails to disclose each and every claimed element. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 8, 9, and 12 under 35 U.S.C. § 103(a).

New claim 13 defines a support frame for automobile vehicle sunroofs. The support frame includes, *inter alia*, a front element (1); a reinforcing crosspiece (3); two longitudinal elements (2), wherein a slide (16) runs along each of the two longitudinal elements, said slide being pulled by a tow element; a plurality of downwardly convex semi-cylindrical protrusions aligned downwardly and separated by gaps; a plurality of upwardly convex cylindrical protrusions placed in discontinuous arrangement and located such that they protrude over said gaps, the plurality of downwardly and upwardly convex protrusion forming a channel (10) for guiding the tow element, which carries the slide (16) and for the sliding of a link (23) with the tow element during an actual slide, which is carried out along the two longitudinal elements (2) of the support frame; and an area above the channel (10) cited wherein the pulled slide (16) is seated, which has predominantly vertical walls (15, 17) which laterally control possible displacements of said slide in the horizontal plane; and wherein the support frame is a single U-shaped piece implemented by injection of fused material in a closed mould. Accordingly, new claim 13 is patentable over the applied art because the art fails to disclose or suggest a plurality

of downwardly and upwardly convex protrusion forming a channel (10) for guiding the tow element, as claimed.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny Caudle (Reg. No. 46,607) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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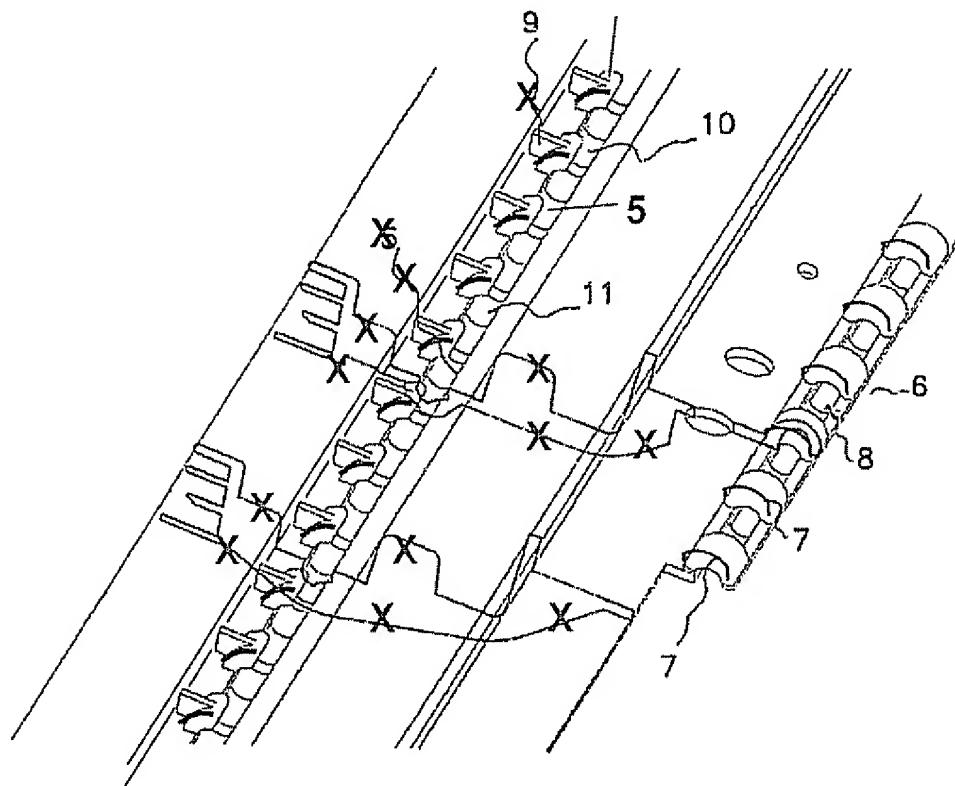


Fig:2

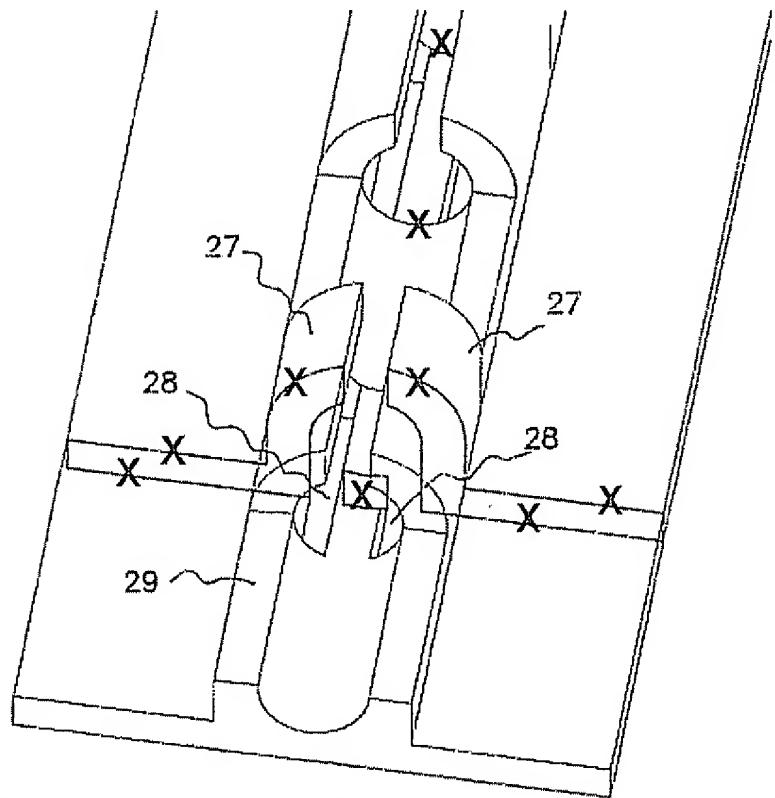


Fig:4

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